



Federal Update for May 5 - 9, 2014



Kline's Corner: Helping Minnesotans Find Work

Dear Friends,

To assist Minnesotans with an uncertain job market, I will be hosting a Career and Jobs Fair on Monday, May 12 at the Eagan Community Center. On Friday, we learned the national unemployment rate dropped slightly. While this is welcome news, labor participation fell by a whopping 806,000 people, the lowest in the last 35 years. Even though the number of unemployed fell, more job seekers gave up rather than found new employment, including friends and neighbors from around Minnesota's 2nd District who can't find the jobs or hours they need to make ends meet. I encourage you or anyone you know struggling to navigate the uncertain economy to attend my jobs fair.

Fighting for Our Children with Disabilities

Earlier this week, I urged the Administration to increase support for students with disabilities by prioritizing federal funding for the Individuals with Disabilities Education Act (IDEA). During a House Education and the Workforce Committee hearing, which I chaired, I expressed to Education Secretary Arne Duncan that I am going to do everything in my power to advocate for a renewed federal commitment to children with disabilities.

Years ago the federal government pledged to provide critical support to special needs children, yet Republicans and Democrats alike have repeatedly failed to keep that promise. As I told Secretary Arne Duncan this past week, parents and school leaders aren't asking for new competitive grants or funding for duplicative early childhood programs – they're begging for more support for the nation's most vulnerable students, and I am leading an effort among my colleagues urging the federal government to keep its promise.

Ensuring Care for Our Veterans

As a 25-year veteran of the U.S. Marine Corps, I believe one of our greatest priorities in Congress should be to ensure we keep our promises to those who served our country. Legislation passed by the House this week honors our commitment to our veterans and takes needed steps in cutting through red tape and bringing real accountability to the Veterans Administration. This legislation also ensures our veterans have quality medical care, important job and training programs, and other benefits they earned for their service to our country.

John Kline

Member of Congress

VA Funding 2015 ► Spending Bill Level Disappoints Obama

The Veterans Affairs spending bill on the House floor this week does not provide enough money for medical care, the White House said in a statement 29 APR. “The Administration is disappointed with the funding level for VA Medical Care, which is \$368 million below the President’s request. This funding level could delay the timely delivery of healthcare services to veterans and impede the Administration’s efforts to end veterans’ homelessness in 2015,” the White House said. It also said the bill should provide \$50 million more for information technology. The statement of administration policy also critiques the fiscal 2015 spending bill — the first of 12 that need to be enacted by Oct. 1 — for restrictions it places on funding for upgrades to health records. The bill conditions funding on the Veterans Affairs Department demonstrating progress on the system’s functionality and interoperability with the Department of Defense.

Congress is trying to use the bill to speed up a backlog of claims due to an inability of Pentagon and Veterans Affairs computer systems to communicate. The administration says the restrictions are counterproductive. “Uncertainty in funding availability will delay needed enhancements for improved clinical decision support and better care for veterans,” the White House said. The spending bill also provides funding for military construction activities and the administration has no qualms with the funding in that section. It does object to a restriction that prevents the construction of any facilities for detainees currently held at

Guantanamo Bay Cuba, however. In all, the committee's legislation provides \$71.5 billion in discretionary spending for military construction and Veterans Affairs — \$1.8 billion less than what was enacted last year. The bill provides \$6.6 billion for military construction, a cut of \$3.3 billion compared to 2014 appropriations levels. [Source: The Hill | Eric Wilson | 29 Apr 2014 ++]

DoD Civilian Work Force ► REDUCE Act H.R.4257 Cuts 15%

Rep. Ken Calvert (R-CA), a member of the Defense Appropriations Committee and the House Budget Committee, introduced legislation (H.R.4257) to require the Pentagon to reduce its 770,000 civilian workforce by 15 percent in the next five years. The bill comes in the wake of a recently released Government Accountability Office (GAO) report on the federal government's civilian workforce. The GAO report shows the federal government has grown in size — particularly in the areas of defense and homeland security. From 2004-2012, the number of executive branch employees grew 14 percent, from 1.88 million to 2.13 million, with most of the increase coming between 2007 and 2010. "Our uniformed personnel continue to absorb cuts while the Secretary of Defense ignores a significant portion of his budget that has continued to grow without restraint — the Defense Department's civilian workforce," Calvert wrote in a recent op-ed.

Calvert's bill, the Rebalance for and Effective Uniform and Civilian Employees (REDUCE) Act, would save \$82.5 billion over the first five years. According to Calvert using GAO analysis, between 2001 and 2012, the active duty military grew by 3.4 percent, while the number of defense employees grew by 17 percent. There are currently 1.3 million servicemembers and 770,000 civilian personnel in DOD — a 1.79 ratio, he said. The civilian staff of the Office of the Secretary of Defense (OSD) has grown by nearly 18 percent and 230 percent for the Joint Staff. The growth of the civilian workforce within DoD continues to create a significant budgetary burden according to Calvert and others. He states that if we fail to act, it will threaten our men and women in uniform. Numerous presidential administrations have tried, and failed, to rein in the DoD civilian workforce which contains many veterans. In December, Secretary of Defense Chuck Hagel announced he would trim 200 positions from OSD over the next five years.

Understanding the difficulty associated with trying to reduce federal civilian employees, Calvert recommends more cuts using voluntary separation incentive payments and voluntary early retirement payments to achieve the required reductions. “At a time when our military presence, and projection of power, is sorely needed in the world, we cannot risk further cuts to our uniformed personnel while the Defense civilian workforce remains unchanged,” Calvert wrote. A drawdown of both uniformed servicemembers and civilian employees may be necessary as the department grapples with looming sequestration cuts. However, MOAA is wary that a meat axe approach that prioritizes budget savings above all else could jeopardize the quality of the department. [Source: MOAA Leg Up 18 Apr 2014 ++]

Vet Omnibus Bill S.944 ► Bill Push

Over the last six months, the House Veterans Affairs Committee and the full House have passed a number of bills that address the needs of veterans. In February, for example, the House unanimously (390-0) passed a measure that would require states to charge the in-state tuition rate for all student veterans who enroll at a public college within three years of separating from active duty. The bill would enable non-resident veterans to get a nearly cost-free education at any public college under the Post 9/11 GI Bill. The in-state tuition provision is embedded in multiple veterans’ benefits bills that have not cleared the Senate. The omnibus Veterans Health and Benefits Improvement Act (S.944) was voted out of the Senate Committee on Veterans Affairs last fall on a bi-partisan basis but failed to clear an accelerated “unanimous consent” vote on the Senate Floor. In addition to the in-state tuition measure, S.944 would:

- Permit surviving spouses who receive dependency and indemnity payments (DIC) from the VA to retain the pay if they remarry at age 55
- Increase DIC for survivors with children for each month over a three-year period from the date of entitlement — currently, the increase is limited to a two-year period
- Require the VA to provide medical exams, counseling and treatment for veterans who file for disability based on military sexual trauma
- Authorize Gunnery Sergeant John D. Fry Scholarships to the surviving spouses of the Afghanistan and Iraq conflicts (their children are eligible for the Scholarship)

- Establish that career reservists with no service under active duty orders may be honored as veterans
- Expand complementary and alternative therapies, prosthetics and chiropractic care at VA medical facilities
- Extend the date of eligibility from 1 Jan. 1957 to 1 Aug. 1953 for health care for veterans and their dependents that were exposed to contaminated water at Camp Lejeune
- Require states to consider military training for the purpose of issuing state licenses and credentials to veterans
- Require federal agencies (other than the VA and DoD) to plan to hire 15,000 veterans under existing law during a 5 year period after passage of the legislation
- Require quarterly reports on the backlog of veterans' claims

A subsequent, even bigger version of the omnibus, S.1982 (Comprehensive Veterans Health and Benefits and Military Retirement Pay Restoration Act of 2014), was assembled from S.944 components earlier this year, but failed 27 FEB to progress on a procedural vote. S.1982 includes a provision that would have repealed the 1 percentage point COLA cut on working age military retirees' pensions. Thanks to The Military Coalition (TMC) and other stakeholders Congress repealed the COLA cut except for future entrants into military service. S.1982 also would extend special services and support under the Caregivers Act to severely disabled veterans of all wartime periods. Currently caregiver services and support are available only to severely disabled veterans of the conflicts in Iraq and Afghanistan. The bill would also expand enrollment in VA health care to certain uninsured veterans, as well as authorize additional VA leases for health clinics in 18 states. The bill would be paid for in large part by a future cap on Overseas Contingency Operations (OCO) funding.

As with the COLA cut repeal issue, the Military Officers Association of America (MOAA) feels strongly that the way ahead on the veteran's omnibus bill is a negotiated, bipartisan solution. MOAA urges Senate Veterans Affairs Committee Chairman Sen. Sanders (I-VT), Ranking Member Sen. Richard Burr (R-NC), and the Senate leadership to pass a veterans omnibus bill by Memorial Day. [Source: MOAA Leg Up 18 Apr 2014 ++]

Veteran Hearing/Mark-up Schedule ► as of 29 Apr 2014

Following is the current schedule of recent and future Congressional hearings and markups pertaining to the veteran community. Congressional hearings are the principal formal method by which committees collect and analyze information in the early stages of legislative policymaking. Hearings usually include oral testimony from witnesses, and questioning of the witnesses by members of Congress. When a U.S. congressional committee meets to put a legislative bill into final form it is referred to as a mark-up. Veterans are encouraged to contact members of these committees prior to the event listed and provide input on what they want their legislator to do at the event

- **May 8, 2014.** HVAC, Subcommittee on Economic Opportunity will hold a hearing entitled “Defining and Improving Success for Student Veterans.” The focus will be to provide information on how to assist veterans in accomplishing their academic goals, an update on VETSUCCESS on campus program, update on improvements that has been made in outreach to service members and provide information on institution of higher learning and Million Records initiative.
- **Wednesday, June 11, 2014 (*tentative*).** SVAC will hold a hearing to discuss pending legislation.
 - S. 1606 (Udall) CBOC naming
 - S. 1637 (Manchin) United We Stand to Hire Veterans Act
 - S. 1643 (Cardin) Veterans' Advisory Committee on Education
 - S. 1662 (McConnell) Veterans Health Care Improvement Act of 2013
 - S. 1682 (Casey) Veterans Education Counseling Act of 2013
 - S. 1684 (Toomey) Service members Transition Improvement Act of 2013
 - S. 1717 (Kaine) SERVE Act of 2013
 - S. 1736 (Durbin) Serve Act
 - S. 1740 (Landrieu) VA Major Medical Facility Lease Authorization of 2013
 - S. 1751 (Heller) Authority for contracted disabilities exams for disability
 - S. 1755 (Toomey) Dignified Interment of Our Veterans Act of 2013
 - S. 1863 (Brown) Continued Education program for Medical Professionals

- S. 1892 (Collins) Canadian Forces Base Gagetown, New Brunswick Veterans registry
- S. 1985 (Moran) Veterans Health Care Access Closer to Home Act 2014
- S. 1987 (Feinstein) EUL at the West Los Angeles Medical Center
- S. 1993 (Warren) Veterans Care Financial Protection Act of 2014
- S. 1999 (Graham) SCRA Rights Protection Act of 2014
- S. 2009 (Udall) Rural Veterans Improvement Act of 2014
- S. 2013 (Rubio) VA Management Accountability Act of 2014
- S. 2014 (Durbin) GI Education Benefit Fairness Act of 2014
- S. 2091 (Heller) 21st Century Veterans Benefits Delivery Act
- S. 2095 (Moran) Veterans Health Care Access Closer to Home Act 2014
- S. 2128 (Cornyn) VAMC naming
- S. 2145 (Feinstein) Veteran Voting Support Act
- S. 2179 (Murray) Homeless Veterans Services Protection Act of 2014
- S. 2182 (Walsh) Suicide Prevention for American Veterans Act
- S. 2184 (Wyden) CBOC naming
- S. RES. 399 (Cornyn) Expressing support for the American GI Forum

[Source: Veterans Corner w/Michael Isam 29 Apr 2014 ++]

TRICARE Prime Update ► 76K Eligible for Re-Enrollment

Tricare announced 15 APR its plans for reinstating thousands of beneficiaries who lost eligibility for Tricare Prime last October, but by law, not all who were booted off Prime will be able to re-enroll. The fiscal 2014 National Defense Authorization Act required the Defense Department to give affected beneficiaries a one-time option to continue in Tricare Prime. And in accordance with the law, Tricare plans to send letters starting 28 APR to those eligible to re-enroll. Beneficiaries will have until June 30 to make their decision. But while roughly 177,000 Tricare Prime beneficiaries — mainly retirees and family members — were disenrolled from the Pentagon's health maintenance organization-style program when DoD reduced the availability of Tricare Prime to locations within 40 miles of an active or former military base, fewer than half will receive letters to re-enroll.

According to Tricare, about 35,000 beneficiaries received waivers or moved to another Prime service area after they were disenrolled and no longer are

affected. But the law passed by Congress in December also stipulated that the one-time opt-in apply only to beneficiaries who live in a ZIP code that was a designated Prime service area as of Sept. 30, 2013, and they live within 100 miles of a current or former military medical treatment facility. That second condition prevents 66,000 beneficiaries who once had Prime in areas where the Tricare contract managers offered it but there were no bases, including much of the Tricare South region and cities like Pittsburgh and Minneapolis, from opting back in.

Tricare officials said about 76,000 beneficiaries will get letters informing them of their eligibility and information on how to get back into Prime. They also will be required to see a primary care doctor who practices within 40 miles of the present or former military base, should they choose to re-enroll. Those who don't want to return to Prime will not have to take any action. They will remain on Tricare Standard. To re-enroll, the beneficiary must submit an enrollment form and waive drive time standards. Managed care contractors will help beneficiaries find available PCMs, according to Tricare. Enrollment forms are available online at www.tricare.mil/forms. [Source: MilitaryTimes | Patricia Kime | 16 April 2014 ++]

Representative Tim Walz

MINNESOTA'S FIRST CONGRESSIONAL DISTRICT

Washington, DC [5/8/14] – Today, Representative Tim Walz (MN-01) and the VA Committee voted to subpoena certain emails and written correspondence from VA officials, including Secretary Shinseki, in an effort to provide oversight and get to the bottom of allegations of a secret waitlist at the Phoenix, Arizona VA hospital. Representative Walz released the following statement.

“My number one goal as both a veteran and a member of this committee is to ensure our warriors receive the support and care they have earned and deserve. I will be VA's strongest ally, but also their harshest critic when warranted. The allegations coming out of the Phoenix VA are extremely troubling and, while the independent Inspector General is conducting their own investigation, it's important for Congress to continue to provide oversight as well.

“That is why today we sent a very reasonable and necessary request for information regarding concerns stemming from allegations surrounding the Phoenix VA. The subpoena was necessary because the previous response from VA was not sufficient for the Oversight and Investigations Subcommittee to conduct proper oversight.

“Critically this subpoena is specific in scope as to not interfere with the ongoing independent investigation by the Inspector General. We must get to the bottom of these allegations and, if any wrongdoing occurred, hold accountable those that are responsible. Our veterans deserve nothing less.”